

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MICHAEL NOLAU, individually and on  
behalf of others similarly situated,

Plaintiffs,

v.

WSP USA INC., and other individuals or  
entities related to the same,

Defendants.

Civil Action No. 1:22-cv-4276-VSB

**REVISED CASE  
MANAGEMENT PLAN AND  
SCHEDULING ORDER**

VERNON S. BRODERICK, United States District Judge:


Pursuant to Rules 16-26(f) of the Federal Rules of Civil Procedure, the Court hereby adopts the following Revised Case Management Plan and Scheduling Order:

1. All fact discovery is to be completed no later than August 27, 2024. This case presents unique complexities, as set forth in the accompanying joint letter from the parties, necessitating a longer fact discovery period.
2. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided that the parties meet the deadline for completing fact discovery set forth in ¶ 1 above.
  - a. Initial requests for production of documents shall be served by March 13, 2024 and initial responses provided no later than April 30, 2024.
  - b. Initial Interrogatories shall be served by March 13, 2024 and initial responses provided no later than April 30, 2024.
  - c. Depositions shall be completed by August 27, 2024.
    - i. Absent an agreement between the parties or an order from the Court, depositions are not to be held until all parties have responded to initial requests for document production.
    - ii. There is no priority for depositions by reason of a party's status as a plaintiff or a defendant.
    - iii. Absent an agreement between the parties or an order from the Court, non-party depositions shall follow initial party depositions.

- d. Requests for admissions shall be served no later than July 15, 2024.
  - e. Third-party subpoenas shall be served no later than July 15, 2024. Parties agree to meet and confer with respect to any objections to third-party subpoenas prior to service.
- 3. All expert discovery, including disclosures, reports, production of underlying documents, and depositions shall be completed by October 28, 2024.
  - 4. All discovery shall be completed no later than October 28, 2024.
  - 5. The Court will conduct a telephonic post-discovery conference on 11/13/24 at 2:00 p.m.           . [***To be completed by the Court.***] The dial-in number is 888-363-4749 and the conference code is 2682448.
  - 6. No later than 11/5/24 [***to be completed by the Court***], the parties are to submit a joint letter updating the Court on the status of the case, including but not limited to whether Plaintiffs intend to file a motion for conditional or class certification, whether either party intends to file a dispositive motion, what efforts the parties have made to settle the action, whether any discovery disputes remain outstanding, and whether the parties request referral to a Magistrate Judge for settlement purposes. If either party contemplates filing a dispositive motion, the parties should be prepared to discuss a briefing schedule at the post-discovery conference.
  - 7. The parties have conferred and their present best estimate of the length of trial is 10 days. The parties note that the anticipated length of trial depends on the outcome of motion practice.
  - 8. All Other dates and provisions of this Court's prior orders shall apply.

SO ORDERED.

Dated: January 12, 2024  
New York, New York

  
Vernon S. Broderick  
United States District Judge